

# **EXHIBIT 10**

March 10, 2023

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

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AUBRY MCMAHON,

Plaintiff, Case No.: 2:21-cv-00920

-against-

WORLD VISION, INC.,

Defendant.

-----X

VIDEO CONFERENCE  
DEPOSITION

March 10, 2023  
12:00 p.m.

EXAMINATION BEFORE TRIAL of

MELANIE FREIBERG, a 30(b)(6) witness on behalf

of the Defendant herein, taken by the attorney(s)

for the Plaintiff, pursuant to Notice, held at

the above-mentioned time and place, before

THERESA RATIGAN, a shorthand reporter and Notary

Public within and for the State of New York.

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<p style="text-align: right;">Page 2</p> <p>1</p> <p>2 APPEARANCES:</p> <p>3</p> <p>4 NISAR LAW GROUP, PC Attorneys for Plaintiff 60 East 42nd Street, Suite 4600 New York, New York 10165</p> <p>6</p> <p>7 BY: CASEY WOLNOWSKI, ESQ. cwolnowski@nisarlaw.com</p> <p>8</p> <p>9 GAMMON &amp; GRANGE, PC Attorneys for Defendant 1945 Old Gallows Road, Suite 650 Tysons, Virginia 22182</p> <p>11</p> <p>12 BY: SCOTT J. WARD, ESQ. sjw@gg-law.com J. MATTHEW SZYMANSKI, ESQ. jms@gg-law.com</p> <p>13</p> <p>14</p> <p>15</p> <p>16 ALSO PRESENT:</p> <p>17 STEVE McFARLAND, Chief Legal Officer for World Vision Incorporated</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 M. Freiberg</p> <p>2 (Time noted: 12:06 p.m.)</p> <p>3 THE REPORTER: Good afternoon. My name</p> <p>4 is Theresa Ratigan. I'm with U.S. Legal</p> <p>5 Support, and I am the court reporter this</p> <p>6 afternoon.</p> <p>7 The attorneys participating in this</p> <p>8 deposition acknowledge that I am not</p> <p>9 physically present in the deposition room and</p> <p>10 that I will be reporting this deposition</p> <p>11 remotely.</p> <p>12 They further acknowledge that, in lieu of</p> <p>13 an oath administered in person, I will</p> <p>14 administer the oath remotely under penalty of</p> <p>15 perjury.</p> <p>16 The parties and their counsel consent to</p> <p>17 this arrangement and waive any objections to</p> <p>18 this manner of reporting.</p> <p>19 Please indicate your agreement by stating</p> <p>20 your name and your agreement on the record;</p> <p>21 counsels only, please.</p> <p>22 MR. WOLNOWSKI: Casey Wolnowski, I agree.</p> <p>23 MR. WARD: Scott Ward, I agree.</p> <p>24 MR. SZYMANSKI: Matthew Szymanski, I</p> <p>25 agree.</p>
<p style="text-align: right;">Page 3</p> <p>1 STIPULATIONS</p> <p>2 IT IS HEREBY STIPULATED AND AGREED</p> <p>3 by and between the parties hereto, through their</p> <p>4 respective counsel, that the certification, sealing,</p> <p>5 and filing of the within examination will be, and the</p> <p>6 same are hereby waived;</p> <p>7</p> <p>8 IT IS FURTHER STIPULATED AND AGREED that</p> <p>9 all objections, except as to the form of the</p> <p>10 question, will be reserved to the time of the trial;</p> <p>11</p> <p>12 IT IS FURTHER STIPULATED AND AGREED that</p> <p>13 the within examination may be signed before any</p> <p>14 Notary Public with the same force and effect as if</p> <p>15 signed and sworn to before this Court.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 M. Freiberg</p> <p>2 (Identification of witness verified)</p> <p>3 MELANIE FREIBERG, a 30(b)(6) for the</p> <p>4 Defendant herein, after having first been duly sworn</p> <p>5 by a Notary Public of the State of New York, upon</p> <p>6 being examined, testified as follows:</p> <p>7 BY THE REPORTER:</p> <p>8 Q Please state your name for the record.</p> <p>9 A Melanie Freiberg.</p> <p>10 Q And your address, please?</p> <p>11 A 34834 Weyerhaeuser Way South, Federal</p> <p>12 Way, Washington 98001.</p> <p>13 EXAMINATION BY MR. WOLNOWSKI:</p> <p>14 Q Good afternoon, Ms. Freiberg. Let me go</p> <p>15 some -- go over some of the general ground rules. My</p> <p>16 name is Casey Wolnowski. I represent the plaintiff,</p> <p>17 Aubry McMahon, with respect to her lawsuit against</p> <p>18 World Vision Incorporated.</p> <p>19 Do you understand?</p> <p>20 A I do.</p> <p>21 Q Do you understand that you are not being</p> <p>22 personally sued by Ms. McMahon in this lawsuit?</p> <p>23 A I do.</p> <p>24 Q For the sake of brevity, I will refer to</p> <p>25 "World Vision Incorporated" as simply "World Vision"</p>

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<p style="text-align: right;">Page 6</p> <p>1 M. Freiberg</p> <p>2 going forward.</p> <p>3 Do you understand that?</p> <p>4 A I do.</p> <p>5 Q Are you okay with that?</p> <p>6 A I'm okay with that.</p> <p>7 Q I'm going to ask you a series of</p> <p>8 questions today. If you do not understand a question</p> <p>9 that I ask you, please tell me that you don't</p> <p>10 understand or ask me to rephrase the question and I</p> <p>11 will do my best to do that.</p> <p>12 In other words, unless you tell me, I'll</p> <p>13 assume that by you answering the question, you had no</p> <p>14 problem understanding the question; is that okay?</p> <p>15 A That is okay.</p> <p>16 Q You are being called here today to give</p> <p>17 testimony as a witness pursuant to Rule 30 of the</p> <p>18 Federal Rules of Civil Procedure, specifically</p> <p>19 Rule 30(b)(6). In brief, as a Rule 30(b)(6) witness,</p> <p>20 you are a witness designated to speak on behalf of a</p> <p>21 corporation regarding certain specific topics on</p> <p>22 which the company must be prepared to answer</p> <p>23 questions.</p> <p>24 Do you understand?</p> <p>25 A I understand.</p>	<p style="text-align: right;">Page 8</p> <p>1 M. Freiberg</p> <p>2 designee, I will be asking you questions in your</p> <p>3 capacity as a Rule 30(b)(6) witness speaking on</p> <p>4 behalf of World Vision. Not you personally.</p> <p>5 Accordingly, please remember that you are speaking on</p> <p>6 behalf of World Vision.</p> <p>7 If you want to take a break, we can do</p> <p>8 that; however, all I ask is that if there's a pending</p> <p>9 question, please answer it before we take a break.</p> <p>10 Do you understand?</p> <p>11 A I understand.</p> <p>12 Q Please verbalize your answers. Shaking</p> <p>13 of the head or answers such as "uh-huh" may not</p> <p>14 necessarily be clear for the court reporter who is</p> <p>15 typing down your answers. Also, please wait until I</p> <p>16 finish my question before you answer.</p> <p>17 Is that okay?</p> <p>18 A Yes, that's okay.</p> <p>19 Q Given that we are conducting this</p> <p>20 deposition via video, there are a few questions that</p> <p>21 I wanted to ask.</p> <p>22 Where are you physically located right</p> <p>23 now?</p> <p>24 A I'm physically –</p> <p>25 Q You –</p>
<p style="text-align: right;">Page 7</p> <p>1 M. Freiberg</p> <p>2 Q The topics at issue today are as follows.</p> <p>3 Note these topics I'm about to discuss are taken</p> <p>4 verbatim from the Notice of Deposition previously</p> <p>5 supplied to your attorneys.</p> <p>6 "Defendant's policies and procedures as</p> <p>7 of January 2021 concerning all required tasks and</p> <p>8 responsibilities for individuals employed by World</p> <p>9 Vision Incorporated in the position of customer</p> <p>10 service representative and/or donor/customer service</p> <p>11 trainee, including, but not limited to, all essential</p> <p>12 functions of the job, as well as those requirements</p> <p>13 related to attending and participating in the</p> <p>14 leadership of devotions, weekly chapel services, and</p> <p>15 regular prayer, learn and effectively communicate</p> <p>16 World Vision's involvement in ministries and projects</p> <p>17 around the world, being sensitive to a donor's needs</p> <p>18 and pray with them when appropriate, and performing</p> <p>19 other duties as assigned."</p> <p>20 Are you prepared to discuss these topics</p> <p>21 today?</p> <p>22 A I am.</p> <p>23 Q Are you knowledgeable in these areas?</p> <p>24 A Yes, I believe so.</p> <p>25 Q Given that you're a Rule 30(b)(6)</p>	<p style="text-align: right;">Page 9</p> <p>1 M. Freiberg</p> <p>2 A Sorry?</p> <p>3 Q You can just tell me the city and the</p> <p>4 state. You don't have to tell me the exact address.</p> <p>5 A La Paz, Mexico.</p> <p>6 Q Is there anyone else in the room where</p> <p>7 you are currently sitting?</p> <p>8 A There is no one in the room with me.</p> <p>9 Q If anyone enters the room where you are</p> <p>10 sitting during the deposition, I kindly ask that you</p> <p>11 please identify that person for me.</p> <p>12 Do you have any papers or documents in</p> <p>13 front of you or anything viewable on your computer</p> <p>14 screen aside from this video platform?</p> <p>15 A I do not.</p> <p>16 Q If at any point that changes, please</p> <p>17 inform me what documents you have in front of you or</p> <p>18 what is on your screen.</p> <p>19 I also kindly ask you not to communicate</p> <p>20 with your attorney or any other individual when</p> <p>21 testifying on the record. This includes</p> <p>22 communication via text, e-mail, instant messaging,</p> <p>23 GChat, WhatsApp, or any other electronic chat</p> <p>24 function.</p> <p>25 You were previously sworn in by the court</p>

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<p style="text-align: right;">Page 10</p> <p>1 M. Freiberg</p> <p>2 reporter; thus, are you aware that you are under</p> <p>3 oath?</p> <p>4 A I do.</p> <p>5 Q Do you understand that the oath you just</p> <p>6 took is the same oath you would take if this were a</p> <p>7 trial before a judge?</p> <p>8 A I understand.</p> <p>9 Q The questions that I am about to ask you</p> <p>10 are routine that I ask every person that I am</p> <p>11 deposing.</p> <p>12 Are you under the influence of drugs or</p> <p>13 alcohol today?</p> <p>14 A I am not.</p> <p>15 Q Are you under the influence of any</p> <p>16 medication which may impair your ability to</p> <p>17 understand my questions or to tell the truth?</p> <p>18 A I am not.</p> <p>19 Q Can you think of any reason why you</p> <p>20 cannot provide truthful testimony here today?</p> <p>21 A I cannot.</p> <p>22 Q Has anybody told you not to give truthful</p> <p>23 testimony here today?</p> <p>24 A No.</p> <p>25 Q Ms. Freiberg, what is the present title</p>	<p style="text-align: right;">Page 12</p> <p>1 M. Freiberg</p> <p>2 ask you about the contents of this document.</p> <p>3 Does this document represent a job</p> <p>4 posting for the position of customer service</p> <p>5 representative with World Vision that was in</p> <p>6 existence in November of 2020 for the job itself to</p> <p>7 commence in February of 2021?</p> <p>8 A Yes, it does.</p> <p>9 Q Does this document represent the complete</p> <p>10 written job posting for the position of customer</p> <p>11 service representative with World Vision that was in</p> <p>12 existence in November of 2020?</p> <p>13 A It rem- -- you know, it re- -- represents</p> <p>14 the -- the primary job duties. There are others, as</p> <p>15 you see in number 12 where it has other duties as</p> <p>16 assigned, so there may be other tasks as well, but it</p> <p>17 is a comprehensive view of this role.</p> <p>18 Q Sounds good.</p> <p>19 I think, perhaps, you misunderstood my</p> <p>20 question.</p> <p>21 I was asking you whether this document</p> <p>22 represents the complete written job posting.</p> <p>23 A Oh, yes, it does. My apologies.</p> <p>24 Q Ms. Freiberg, in your capacity as senior</p> <p>25 director of talent management, are you familiar with</p>
<p style="text-align: right;">Page 11</p> <p>1 M. Freiberg</p> <p>2 that you currently hold with World Vision?</p> <p>3 A My title is senior director of talent</p> <p>4 management.</p> <p>5 Q Ms. Freiberg, I will represent to you</p> <p>6 that during the discovery phase of the lawsuit</p> <p>7 involving Aubry McMahon and World Vision, I requested</p> <p>8 a written job posting for the specific position for</p> <p>9 which Ms. McMahon had submitted employment</p> <p>10 application materials. I'll provide you with the</p> <p>11 relevant document I received in response.</p> <p>12 A Are you sharing a screen?</p> <p>13 Q No, not sharing a screen, just uploading</p> <p>14 a document into the chat function.</p> <p>15 MR. WOLNOWSKI: Let's go off the record.</p> <p>16 (Discussion held off the record)</p> <p>17 Q Ms. Freiberg, the document that I've</p> <p>18 showed you, which has been previously marked</p> <p>19 Plaintiffs Exhibit 1, is a document bearing</p> <p>20 Bates-stamped Numbers WV 48 through WV 50.</p> <p>21 Do you recognize this document?</p> <p>22 A I do.</p> <p>23 Q Have you ever seen it before?</p> <p>24 A I have seen it before.</p> <p>25 Q I have a few questions for you before I</p>	<p style="text-align: right;">Page 13</p> <p>1 M. Freiberg</p> <p>2 this job posting?</p> <p>3 A Yes, I am familiar with the job posting.</p> <p>4 Q Before we dive into the contents of this</p> <p>5 document, I'd first like to ask you a few questions</p> <p>6 about the position of customer service representative</p> <p>7 and/or donor/customer service trainee, and</p> <p>8 specifically the tasks and responsibilities required</p> <p>9 for this position.</p> <p>10 For starters, the training for this</p> <p>11 position is nine to 11 weeks; is that correct?</p> <p>12 A That is correct.</p> <p>13 Q To your knowledge, for consideration to</p> <p>14 be in either position, the customer service</p> <p>15 representative position or the donor/customer service</p> <p>16 trainee position, is there a requirement for a</p> <p>17 candidate to have had a former religious educational</p> <p>18 training?</p> <p>19 MR. WARD: Objection as to form.</p> <p>20 You may answer.</p> <p>21 A No, there is not.</p> <p>22 Q In fact, as for any formal education, all</p> <p>23 that is required for either position is for the</p> <p>24 applicant to be a high school graduate or GED</p> <p>25 equivalent; correct?</p>

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<p style="text-align: right;">Page 14</p> <p>1 M. Freiberg</p> <p>2 A That is the correct educational</p> <p>3 requirement.</p> <p>4 Q Is it fair to say that the main</p> <p>5 responsibilities of this job are to acquire and</p> <p>6 maintain donor relations, serve as a liaison between</p> <p>7 donors in the general public, and provide basic</p> <p>8 levels of customer service?</p> <p>9 A That is not the complete main functions</p> <p>10 of the role. There are also the other pieces such as</p> <p>11 helping to carry out our Christian organization's</p> <p>12 mission, vision, and strategies, and to personify the</p> <p>13 ministry of World Vision by witnessing to Christ and</p> <p>14 ministering to others through life, deed, word, and</p> <p>15 sign.</p> <p>16 Q So aside from what you just mentioned and</p> <p>17 the responsibilities that I had asked you about, are</p> <p>18 there any other main duties and responsibilities for</p> <p>19 this job?</p> <p>20 A The items that are listed in 1 through 13</p> <p>21 are also responsibilities in the role.</p> <p>22 Q To your knowledge, for consideration to</p> <p>23 be in the customer service representative position,</p> <p>24 is there a requirement for a candidate to have had</p> <p>25 any religious educational training?</p>	<p style="text-align: right;">Page 16</p> <p>1 M. Freiberg</p> <p>2 representatives, but it's not a religious</p> <p>3 commissioning.</p> <p>4 Q Is one of the duties of a customer</p> <p>5 service representative to teach the word of the Lord?</p> <p>6 MR. WARD: Objection as to form.</p> <p>7 You may answer.</p> <p>8 A There is indirectly, in the sense that</p> <p>9 through leading of devotions, an individual may be</p> <p>10 sharing, they may be sharing Scripture, they may be</p> <p>11 sharing things that they have heard with- -- within</p> <p>12 their church; so there is an element of teaching in</p> <p>13 that regard. They may also be quoting Scripture in</p> <p>14 prayer with donors. They may also lead chapel, in</p> <p>15 which case they may also be leading that on behalf of</p> <p>16 all of World Vision U.S. employees.</p> <p>17 Q Is teaching the word of the Lord, whether</p> <p>18 it be directly or indirectly, the main responsibility</p> <p>19 of the customer service representative position?</p> <p>20 MR. WARD: Objection as to form.</p> <p>21 You may answer.</p> <p>22 A I would say ministering to people is an</p> <p>23 essential function of the job. So being a</p> <p>24 representative of Christ and teaching about the</p> <p>25 witness of Jesus Christ. So that -- I would consider</p>
<p style="text-align: right;">Page 15</p> <p>1 M. Freiberg</p> <p>2 A That -- there is no requirement to have</p> <p>3 religious training. It's simply to be a Christian.</p> <p>4 Q As part of the onboarding or the training</p> <p>5 process associated with customer service</p> <p>6 representative, is there any religious training?</p> <p>7 A There is training surrounding our</p> <p>8 organization, which is a religious organization, so</p> <p>9 that is found- -- founded on the -- the Bible and</p> <p>10 Scripture, so there is training about who we are and</p> <p>11 who we are in Christ. There is support for how to</p> <p>12 pray, how to pray with donors, attending chapel,</p> <p>13 leading and participating in devotions. And while</p> <p>14 they're not, you know, formal religious -- like in</p> <p>15 terms of a -- of a -- an educational degree, they are</p> <p>16 part of spiritual formation.</p> <p>17 Q Anything else, Ms. Freiberg?</p> <p>18 A No.</p> <p>19 Q At the conclusion of the onboarding or</p> <p>20 training process, is there a process for a</p> <p>21 commissioning for customer service representatives?</p> <p>22 MR. WARD: Objection as to form.</p> <p>23 You may answer.</p> <p>24 A There is not a commissioning, but there</p> <p>25 is a moving from a trainee into a DSR, donor services</p>	<p style="text-align: right;">Page 17</p> <p>1 M. Freiberg</p> <p>2 those as being essential functions of the role.</p> <p>3 Q So I'm not sure that answers my question.</p> <p>4 My question, which I'll have Ms. Ratigan read back, I</p> <p>5 don't believe the response you gave was responsive.</p> <p>6 MR. WOLNOWSKI: Ms. Ratigan, could you</p> <p>7 please read that back?</p> <p>8 (WHEREUPON, the previous question was</p> <p>9 read by the court reporter.)</p> <p>10 MR. WARD: Same objection as to form and</p> <p>11 ask- -- asked and answered.</p> <p>12 You may answer.</p> <p>13 A Well, I think I believe that I am</p> <p>14 answering the question, because reading and sharing</p> <p>15 Scripture is the word of the Lord. So I believe that</p> <p>16 there are essential functions of the role that</p> <p>17 require -- as a result of being in a Christian</p> <p>18 organization and bearing witness to Christ, the</p> <p>19 sharing of Scripture is a component of that as is</p> <p>20 prayer, and so I -- I -- I believe I am answering the</p> <p>21 question.</p> <p>22 Q So in my understanding of your response</p> <p>23 is that you are answering what are essential</p> <p>24 functions of the job, and I asked you if teaching the</p> <p>25 word of the Lord either directly or indirectly was</p>

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<p style="text-align: right;">Page 18</p> <p>1 M. Freiberg</p> <p>2 the main duty of the position, and you're responding</p> <p>3 in telling me what essential functions are.</p> <p>4 So I will ask you again because I don't</p> <p>5 think your answer was responsive, and maybe, perhaps,</p> <p>6 you understand my question better now.</p> <p>7 Is teaching the word of the Lord, either</p> <p>8 directly or indirectly, the main duty of a customer</p> <p>9 service representative?</p> <p>10 MR. WARD: Same objection as to form and</p> <p>11 asked and answered.</p> <p>12 You may answer.</p> <p>13 A Yeah, perhaps I am not understanding your</p> <p>14 question well. There are different -- different ways</p> <p>15 to teach the word of the Lord. There is through</p> <p>16 formal instruction, as in a sermon, there is sharing</p> <p>17 in prayer, there is sharing Scripture. So in a</p> <p>18 Christian organization and in this role, that is --</p> <p>19 it -- it -- a main function of the role, is to be</p> <p>20 Christian, and what you're describing is one way of</p> <p>21 being Christian.</p> <p>22 Q Let me ask you a different way.</p> <p>23 Is there a main duty that a customer</p> <p>24 service representative performed in January of 2021?</p> <p>25 MR. WARD: Objection as to form.</p>	<p style="text-align: right;">Page 20</p> <p>1 M. Freiberg</p> <p>2 question and she will answer it.</p> <p>3 MR. WOLNOWSKI: Nice smirk, by the way,</p> <p>4 Mr. Szymanski.</p> <p>5 Thank you, Counselor. Your objection has</p> <p>6 been noted. Multiple times, I might add.</p> <p>7 A Okay.</p> <p>8 Q Ms. Freiberg, if you understand the</p> <p>9 question, you may answer.</p> <p>10 A Okay. So it -- it is very difficult to</p> <p>11 outline the main, you know, responsibility of the</p> <p>12 role, because as with all roles, there are multiple.</p> <p>13 But what I'd like to do is maybe point to one that I</p> <p>14 would see as the most significant, and that is to</p> <p>15 help carry out our Christian mission -- our Christian</p> <p>16 organization's mission, vision, and strategies, and</p> <p>17 personifying the -- the -- the witnessing to Christ.</p> <p>18 That those are the main functions, most essential</p> <p>19 responsibilities of this role.</p> <p>20 Q Would you agree that the main duty of the</p> <p>21 job of customer service representative is to acquire</p> <p>22 and maintain donor relationships through the basic</p> <p>23 inbound and outbound calls?</p> <p>24 A I believe that those are tasks, but in</p> <p>25 terms of the importance of the role, the main</p>
<p style="text-align: right;">Page 19</p> <p>1 M. Freiberg</p> <p>2 You may answer.</p> <p>3 A Well, I'm --</p> <p>4 Q Okay. Let's start with yes or no. Maybe</p> <p>5 that's the easiest way to start.</p> <p>6 MR. WARD: Counsel, don't tell the</p> <p>7 witness how to answer the question. Let her</p> <p>8 answer the question.</p> <p>9 Q You can answer the question if you --</p> <p>10 MR. WARD: You do not --</p> <p>11 Q -- understand it.</p> <p>12 MR. WARD: You do not have to give a</p> <p>13 yes-or-no answer if your answer is not a</p> <p>14 yes-or-no answer.</p> <p>15 Counselor, do not tell --</p> <p>16 MR. WOLNOWSKI: Thank you --</p> <p>17 MR. WARD: -- the witness --</p> <p>18 MR. WOLNOWSKI: -- Counselor.</p> <p>19 Thank you --</p> <p>20 MR. WARD: Counsel --</p> <p>21 MR. WOLNOWSKI: -- Counselor.</p> <p>22 MR. WARD: Counsel --</p> <p>23 MR. WOLNOWSKI: Thank you.</p> <p>24 MR. WARD: -- please do not instruct the</p> <p>25 witness what her answer must be. Ask a</p>	<p style="text-align: right;">Page 21</p> <p>1 M. Freiberg</p> <p>2 functions are to represent our Christian identity.</p> <p>3 Q Upon completion of the nine-to-11-week</p> <p>4 training program, how does a customer service</p> <p>5 representative learn about potential donors?</p> <p>6 A Can you clarify the question in terms of</p> <p>7 how they learn about the donors, what -- what you</p> <p>8 mean by that?</p> <p>9 Q Sure.</p> <p>10 The customer service representatives</p> <p>11 speak to donors about potentially donating money to</p> <p>12 World Vision; correct?</p> <p>13 A That is one of the things that they speak</p> <p>14 to them about, yes.</p> <p>15 Q And these donors are extensively human</p> <p>16 beings; correct?</p> <p>17 A That is correct.</p> <p>18 Q How does a customer service</p> <p>19 representative learn who and who are not potential</p> <p>20 donors with whom they may communicate?</p> <p>21 A Well, these -- they are speaking to</p> <p>22 individuals who are existing donors of World Vision</p> <p>23 and they are responding to questions that they have</p> <p>24 or ministering to needs that they may have. They may</p> <p>25 also, in conjunction with that, ask for extra</p>

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<p style="text-align: right;">Page 22</p> <p>1 M. Freiberg</p> <p>2 blessings or may be speaking to them about other</p> <p>3 needs, but they are not -- they are not like -- out</p> <p>4 like doing -- what's the right word? -- like they're</p> <p>5 not sales reps out to solicit new donors.</p> <p>6 Q With respect to customer service</p> <p>7 representatives, are lists of potentials don- --</p> <p>8 donors disseminated to them by World Vision?</p> <p>9 A I'm not aware of that.</p> <p>10 Q Okay. So how does a customer service</p> <p>11 representative, at least in January of 2021, come to</p> <p>12 learn who they are supposed to contact?</p> <p>13 A They will receive inbound calls from</p> <p>14 individuals who are potentially existing donors or</p> <p>15 may be looking to donate, so they'll receive inbound</p> <p>16 calls, or they will make outbound calls to existing</p> <p>17 donors, for example, to see if they would need</p> <p>18 prayer, so they may do outbound calls in that way.</p> <p>19 Q And from your recollection, how would</p> <p>20 these customer service representatives learn of the</p> <p>21 identity of these existing donors?</p> <p>22 A It's through access to a database where</p> <p>23 that information is contained.</p> <p>24 Q To your knowledge, in 2021, were the</p> <p>25 donors predominately of the Christian faith?</p>	<p style="text-align: right;">Page 24</p> <p>1 M. Freiberg</p> <p>2 Q It states, "Be sensitive to donors' needs</p> <p>3 and pray with them when appropriate."</p> <p>4 Would you agree that per this number 11,</p> <p>5 praying with donors is encouraged, rather than</p> <p>6 mandated?</p> <p>7 MR. WARD: Objection as to form.</p> <p>8 You may answer.</p> <p>9 A Yes. It is our encouragement that our</p> <p>10 representatives pray or ask if donors need prayer,</p> <p>11 but it's not a requirement.</p> <p>12 Q Do you know who determines when it is and</p> <p>13 is not appropriate to pray with donors?</p> <p>14 MR. WARD: Objection as to form.</p> <p>15 You may answer.</p> <p>16 A It's part of the training where the</p> <p>17 representatives use their judgment and their -- use</p> <p>18 their judgment to determine how and when to ask the</p> <p>19 donors about prayer. And as part of the training,</p> <p>20 the representatives are -- the trainees are coached,</p> <p>21 and calls are reviewed, and conversations occur about</p> <p>22 where training could be offered, and ways in which to</p> <p>23 offer that.</p> <p>24 Q Would you agree that ultimately, though,</p> <p>25 who determines when and -- it is and is not</p>
<p style="text-align: right;">Page 23</p> <p>1 M. Freiberg</p> <p>2 A My understanding is that they are</p> <p>3 predominately, but they are not exclusively</p> <p>4 Christian, but they are predominately.</p> <p>5 Q In 2021, approximately what percentage of</p> <p>6 potential donors were not of the Christian faith, if</p> <p>7 you know?</p> <p>8 A I don't know the answer to that question.</p> <p>9 Q Would you say it was more than</p> <p>10 50 percent?</p> <p>11 MR. WARD: Objection to form.</p> <p>12 You may answer.</p> <p>13 A I would be speculating.</p> <p>14 Q So you have no idea, it could be</p> <p>15 1 percent, it could be 99 percent; is that fair to</p> <p>16 say?</p> <p>17 A I don't -- I don't think the range is</p> <p>18 that broad. I do think most of our donors are</p> <p>19 Christian, but I don't know what the percentage is.</p> <p>20 I -- I -- I don't know that that's a metric that we</p> <p>21 track either. I -- so I'm -- I'm just not sure.</p> <p>22 Q I'd like to focus your attention on</p> <p>23 number 11, which appears on the second page of</p> <p>24 Plaintiff's Exhibit 1.</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 25</p> <p>1 M. Freiberg</p> <p>2 appropriate to pray with donors is in the discretion</p> <p>3 of the customer service representative?</p> <p>4 A It isn't mandatory, so I just would want</p> <p>5 to say that it is encouraged, and throughout the</p> <p>6 training, the representatives are practicing prayer,</p> <p>7 they are exposed to prayer, they listen to calls and</p> <p>8 listen to prayers. So they are encouraged to as an</p> <p>9 expression of our Christian identity.</p> <p>10 Q But it's not required, is my</p> <p>11 understanding; is that correct?</p> <p>12 A It is correct that it is not required.</p> <p>13 Q Ms. Freiberg, we're going to revisit this</p> <p>14 document, so I would ask you kindly to keep it handy.</p> <p>15 I'd like to show you what will be marked</p> <p>16 Plaintiff's Exhibit Number 19. It's a document</p> <p>17 that's Bates-stamped WV 6113 to 6114.</p> <p>18 MR. WOLNOWSKI: Let's go off the record.</p> <p>19 (Discussion held off the record)</p> <p>20 (WHEREUPON, the above-referred-to</p> <p>21 document, Bates-stamped WV-006113 through</p> <p>22 WV-006114, was marked as Plaintiff's</p> <p>23 Exhibit 19, for identification, as of this</p> <p>24 date.)</p> <p>25 MR. WOLNOWSKI: Back on.</p>



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<p style="text-align: right;">Page 26</p> <p>1 M. Freiberg</p> <p>2 Q Ms. Freiberg, I will represent that this</p> <p>3 document was exchanged during the discovery phase of</p> <p>4 litigation in this matter.</p> <p>5 Have you had a chance to review this</p> <p>6 document?</p> <p>7 A Yes, I have.</p> <p>8 Can I take a few minutes to just refresh</p> <p>9 myself –</p> <p>10 Q Yes, please.</p> <p>11 A – and read it?</p> <p>12 (Perusing a document)</p> <p>13 Okay. Thank you. I've had a chance to</p> <p>14 review it.</p> <p>15 Q Ms. Freiberg, do you recognize this</p> <p>16 document?</p> <p>17 A I do.</p> <p>18 Q Have you ever seen it before?</p> <p>19 A I have.</p> <p>20 Q Can you explain to me what this document</p> <p>21 is?</p> <p>22 A It is a guidance document to assist</p> <p>23 agents to respond to donor needs, and as you can see,</p> <p>24 the title references showing empathy, and so that is</p> <p>25 one of the areas that is important to the donor</p>	<p style="text-align: right;">Page 28</p> <p>1 M. Freiberg</p> <p>2 A It would be available for all to use, so</p> <p>3 they – they would know where to access it.</p> <p>4 Q And this is told by somebody who's</p> <p>5 employed with World Vision; correct?</p> <p>6 A It would be, yes, provided by the</p> <p>7 leadership at DCS.</p> <p>8 Q The heading of this document reads,</p> <p>9 "Showing empathy on a call during a crisis (talking</p> <p>10 points)."</p> <p>11 Do you see that?</p> <p>12 A I do.</p> <p>13 Q Now, under this heading, there appear to</p> <p>14 be subheadings which regard certain topics.</p> <p>15 Do you see them?</p> <p>16 A I do.</p> <p>17 Q Were these common topics that were being</p> <p>18 raised by callers with customer service</p> <p>19 representatives in 2020?</p> <p>20 A Yes.</p> <p>21 Q I see that some of the subheadings regard</p> <p>22 the topic of COVID-19.</p> <p>23 Surely those wouldn't have been in the</p> <p>24 talking points training documents, say, in 2018 or</p> <p>25 before; would you agree?</p>
<p style="text-align: right;">Page 27</p> <p>1 M. Freiberg</p> <p>2 contacts team, to – to show empathy, and so this is</p> <p>3 a guidance document to provide some scriptural</p> <p>4 reference so that as the agent prays with donors,</p> <p>5 they are able to utilize some prayer – some</p> <p>6 Scripture – sorry, some Scripture in conjunction</p> <p>7 with praying for the donors.</p> <p>8 Q Is this part of the written training</p> <p>9 documents relating to customer service</p> <p>10 representatives?</p> <p>11 A It is part of the resourcing for them, so</p> <p>12 it is available for them to use.</p> <p>13 Q Is it utilized for the purposes of</p> <p>14 helping train customer service representatives?</p> <p>15 A I know that it's a tool that is utilized,</p> <p>16 so it is available for all – all reps to utilize.</p> <p>17 Q Is this disseminated to all customer</p> <p>18 service representatives?</p> <p>19 A It's a tool that is available to ev- --</p> <p>20 for everyone to use, so it's part of the</p> <p>21 documentation that they can access for use. So it is</p> <p>22 accessible to all.</p> <p>23 Q Is it fair to say that customer service</p> <p>24 representatives are advised as to how to access --</p> <p>25 access it if they'd like?</p>	<p style="text-align: right;">Page 29</p> <p>1 M. Freiberg</p> <p>2 A That's correct.</p> <p>3 Q There are a number of times, six to be</p> <p>4 specific, that the following appears in italics below</p> <p>5 a subheading, "Ask the donor how we can specifically</p> <p>6 be praying. If comfortable, offer to pray with the</p> <p>7 donor over the phone."</p> <p>8 Do you see that?</p> <p>9 A I do.</p> <p>10 Q Do you know why these two sentences</p> <p>11 appear six times in this training document?</p> <p>12 MR. WARD: Objection as to form.</p> <p>13 You may answer.</p> <p>14 A I believe that they appear there because</p> <p>15 the donor contact services management wants the</p> <p>16 representatives to be praying, and then provides</p> <p>17 guidance that, if comfortable, that they pray with</p> <p>18 them over the phone. And I – just for further</p> <p>19 clarification, the donor contact representatives may</p> <p>20 request prayer, and then document the prayer which</p> <p>21 then will be prayed over – to be prayed over by</p> <p>22 other members of the organization, or they may pray</p> <p>23 directly with the donor at the time that they're on</p> <p>24 the call with them.</p> <p>25 Q Would you agree that the purpose of these</p>

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<p style="text-align: right;">Page 30</p> <p>1 M. Freiberg</p> <p>2 two sentences' appearances in this document is to</p> <p>3 provide the customer service representative with</p> <p>4 guidance as to what to say to a donor?</p> <p>5 A It's to provide scriptural references,</p> <p>6 but the prayer itself would be, you know,</p> <p>7 personalized, contextualized, and impacted by the</p> <p>8 movement of the Holy Spirit during the prayer.</p> <p>9 Q I'd like to focus on the second sentence,</p> <p>10 which states, "If comfortable, offer to pray with the</p> <p>11 donor over the phone."</p> <p>12 Do you see that?</p> <p>13 A I do.</p> <p>14 Q Would you agree that this sentence gives</p> <p>15 the customer service representative a choice to offer</p> <p>16 to pray with a donor over the phone, rather than</p> <p>17 making it mandatory?</p> <p>18 A It is correct that it is not mandatory</p> <p>19 for the service – the donor services representative</p> <p>20 to pray. They are encouraged to pray and they are</p> <p>21 equipped to pray, but they are – there is not a</p> <p>22 requirement or a disciplinary action if they don't</p> <p>23 pray.</p> <p>24 Q Would you agree that if a customer</p> <p>25 service representative is not comfortable with</p>	<p style="text-align: right;">Page 32</p> <p>1 M. Freiberg</p> <p>2 as a result of not praying. That generally the</p> <p>3 opposite happens, people are excited to pray over</p> <p>4 time.</p> <p>5 Q Are you familiar with the Giving Word to</p> <p>6 Our Faith framework?</p> <p>7 A Yes, I am.</p> <p>8 Q What is it?</p> <p>9 A It is a framework that references our</p> <p>10 beliefs in terms of what we believe, what we</p> <p>11 experience in the world, and how we guide messaging</p> <p>12 around our Christian faith.</p> <p>13 Q Is it fair to say that the Giving Word to</p> <p>14 Our Faith framework is a framework that customer</p> <p>15 service representatives are asked to utilized to</p> <p>16 create messages about how the Christian faith informs</p> <p>17 World Vision's work?</p> <p>18 A I'm not sure if that's the – the purpose</p> <p>19 of the document.</p> <p>20 Q Is it all – also referred to shorthand</p> <p>21 as the GWF framework?</p> <p>22 A I've seen that acronym, yes.</p> <p>23 Q Is the GWF framework a tool for customer</p> <p>24 service representatives to teach the Christian faith</p> <p>25 from a theological standpoint?</p>
<p style="text-align: right;">Page 31</p> <p>1 M. Freiberg</p> <p>2 praying with a donor, he or she is not obligated to</p> <p>3 do so?</p> <p>4 A I would say if the individual is not</p> <p>5 comfortable to pray, that the supervisor will</p> <p>6 continue to work with them to encourage them to</p> <p>7 become comfortable.</p> <p>8 Q So I don't believe that that answers the</p> <p>9 question.</p> <p>10 MR. WOLNOWSKI: Ms. Ratigan, could you</p> <p>11 read the question back, please?</p> <p>12 (WHEREUPON, the previous question was</p> <p>13 read by the court reporter.)</p> <p>14 MR. WARD: I'll object as to form.</p> <p>15 You may answer.</p> <p>16 A I am agreeing that they're not obligated</p> <p>17 to pray, and I'm adding to that the reality that they</p> <p>18 are encouraged to pray and would continue to be</p> <p>19 coached to become comfortable to pray.</p> <p>20 Q But ultimately, if he or she refused,</p> <p>21 would that result in a job loss, generally speaking?</p> <p>22 MR. WARD: Objection as to form.</p> <p>23 You may answer.</p> <p>24 A In decisions with DCS leadership, they've</p> <p>25 not had to ever discipline anyone or terminate anyone</p>	<p style="text-align: right;">Page 33</p> <p>1 M. Freiberg</p> <p>2 MR. WARD: Objection as to form.</p> <p>3 You may answer.</p> <p>4 A Would it be possible for us to access the</p> <p>5 document?</p> <p>6 Q Well, why don't we try to answer these</p> <p>7 questions from the best of your recollection, and</p> <p>8 then momentarily, I'll – I'll show you some</p> <p>9 documents.</p> <p>10 A I'm – I'm just not sure I can answer</p> <p>11 that.</p> <p>12 Q If you could, please tell me the training</p> <p>13 the World Vision implements for customer service</p> <p>14 representatives as to the GWF framework?</p> <p>15 MR. WARD: I'm going to object as to</p> <p>16 form.</p> <p>17 You may answer.</p> <p>18 A Yeah, the – the focus of my</p> <p>19 conversations with members of DCS leadership has been</p> <p>20 around – related to prayer and how we teach and</p> <p>21 equip our DCS agents regarding prayer. We did not</p> <p>22 specifically speak about the GWF.</p> <p>23 Q Okay. Let me maybe ask the question a</p> <p>24 different way.</p> <p>25 How is the GWF framework implemented</p>

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<p style="text-align: right;">Page 34</p> <p>1 M. Freiberg</p> <p>2 during the training program with respect to customer</p> <p>3 service representatives?</p> <p>4 MR. WARD: I'm going to object as to</p> <p>5 form.</p> <p>6 You may answer.</p> <p>7 A Yeah, I don't know the details of how</p> <p>8 that framework is utilized in the DCS training.</p> <p>9 Q Okay. I'd like to show you a document</p> <p>10 which will be marked Plaintiff's Exhibit Number 20.</p> <p>11 It is documents bearing Bates-stamped Numbers WV 6119</p> <p>12 to 6128. I will represent that this document was</p> <p>13 exchanged during the discovery phase of litigation in</p> <p>14 this matter.</p> <p>15 Please review this document and let me</p> <p>16 know once you've completed doing so.</p> <p>17 (WHEREUPON, the above-referred-to</p> <p>18 document, Bates-stamped WV-006119 through</p> <p>19 WV-006128, was marked as Plaintiff's</p> <p>20 Exhibit 20, for identification, as of this</p> <p>21 date.)</p> <p>22 A (Perusing a document)</p> <p>23 Okay. I've read it.</p> <p>24 Q Do you recognize this document?</p> <p>25 A Yes, I recognize it.</p>	<p style="text-align: right;">Page 36</p> <p>1 M. Freiberg</p> <p>2 A Yes, I do.</p> <p>3 Q Would you agree that this bullet advises</p> <p>4 customer service representatives that they have</p> <p>5 discretion as to the ideas that they can use to</p> <p>6 communicate to his or her target audience?</p> <p>7 MR. WARD: Objection as to form.</p> <p>8 You may answer.</p> <p>9 A But I think what I was stating earlier is</p> <p>10 that I'm not sure how this document or tool is used</p> <p>11 by the DCR – the DSR reps or trainees, but I agree</p> <p>12 that this bullet does offer discretion on how to</p> <p>13 communicate using this as a framework.</p> <p>14 Q I'd like to direct your attention to the</p> <p>15 fifth bullet on page WV 6119 where it states, "Where</p> <p>16 possible, use supporting Scripture, stories, photos,</p> <p>17 and examples of how these messages are evident in</p> <p>18 your context to make your communications compelling</p> <p>19 and relevant."</p> <p>20 Do you see that?</p> <p>21 A I do.</p> <p>22 Q Would you agree that this section</p> <p>23 encourages customer service representatives to use</p> <p>24 supporting Scripture where possible, but does not</p> <p>25 necessarily mandate it?</p>
<p style="text-align: right;">Page 35</p> <p>1 M. Freiberg</p> <p>2 Q Have you ever seen it before?</p> <p>3 A Yes.</p> <p>4 Q I'd like to direct your attention to</p> <p>5 first page of this document, the one marked WV 6119.</p> <p>6 Specifically the part of the third bullet down which</p> <p>7 reads, "Use only the ideas that apply to your</p> <p>8 communication piece in your target audience."</p> <p>9 Do you see that?</p> <p>10 A Yes, it is the second bullet – no.</p> <p>11 Q The third?</p> <p>12 A Third bullet, "Do not be afraid to say</p> <p>13 more than what is in the document. Make sure that</p> <p>14 you communicate what does not violate any of these</p> <p>15 points" – oh, sorry, I'm miscounting. He's on</p> <p>16 the – yes.</p> <p>17 MR. WOLNOWSKI: Let's go off for a</p> <p>18 moment.</p> <p>19 (Discussion held off the record)</p> <p>20 MR. WOLNOWSKI: Back on.</p> <p>21 Q I'd like to direct your attention to the</p> <p>22 third bullet on the first page which reads, "Use only</p> <p>23 the ideas that apply to your communication piece and</p> <p>24 your target audience."</p> <p>25 Do you see that?</p>	<p style="text-align: right;">Page 37</p> <p>1 M. Freiberg</p> <p>2 A I believe that the intent is to</p> <p>3 supplement the key messaging on the – in the</p> <p>4 framework tool with additional pieces to personalize,</p> <p>5 conceptualize, or make more specific through</p> <p>6 Scripture, stories, so it's intended to supplement.</p> <p>7 Q Is there a different document that states</p> <p>8 that it's mandatory that a customer service</p> <p>9 representative uses Scripture in their</p> <p>10 communications?</p> <p>11 MR. WARD: Objection as to form.</p> <p>12 You may answer.</p> <p>13 A Well, customer service agents are</p> <p>14 encouraged to pray with – with donors, and in</p> <p>15 praying, may reference Scripture, but they aren't</p> <p>16 required to reference Scripture.</p> <p>17 Q Is the GWF framework a policy document?</p> <p>18 MR. WARD: Objection as to form.</p> <p>19 You may answer.</p> <p>20 A It is not a policy, but rather, a</p> <p>21 framework document.</p> <p>22 Q So it's fair to say that it does not</p> <p>23 reflect any specific policy of World Vision; correct?</p> <p>24 MR. WARD: Objection as to form.</p> <p>25 You may answer.</p>

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<p style="text-align: right;">Page 38</p> <p>1 M. Freiberg</p> <p>2 A Well, this document would work in concert</p> <p>3 with other policies such as our Christian witness</p> <p>4 policy, which is part of our Christian identity. So</p> <p>5 this is in support -- this is a tool and support of</p> <p>6 who we are as an organization.</p> <p>7 Q Is it correct that the GWF framework does</p> <p>8 not have to be strictly followed by a customer</p> <p>9 service representative?</p> <p>10 A Just repeating what I said earlier in</p> <p>11 that I'm not exactly sure how this tool and this</p> <p>12 document is used by a DCS agent.</p> <p>13 Q I'd like to show you what will be marked</p> <p>14 Plaintiff's Exhibit Number 21. Ms. Freiberg, I can</p> <p>15 represent that this is a document that was exchanged</p> <p>16 during discovery and is marked Bates-stamped WV 6164.</p> <p>17 Please review this document and let me</p> <p>18 know once you've completed doing so.</p> <p>19 A Okay.</p> <p>20 MR. WOLNOWSKI: Let's go off.</p> <p>21 (Discussion held off the record)</p> <p>22 (WHEREUPON, the above-referred-to</p> <p>23 document, Bates-stamped WV-006164, was marked</p> <p>24 as Plaintiff's Exhibit 21, for identification,</p> <p>25 as of this date.)</p>	<p style="text-align: right;">Page 40</p> <p>1 M. Freiberg</p> <p>2 MR. WOLNOWSKI: If you wish to ask her</p> <p>3 about the full document at the close of my</p> <p>4 deposition, you will have plenty of time to do</p> <p>5 so, Counselor.</p> <p>6 Thank you.</p> <p>7 Q There is a section at the top in italics</p> <p>8 which states, "The examples provided below are</p> <p>9 indicative only and based on insights about</p> <p>10 contextual audiences gathered during workshops. End</p> <p>11 users will need to articulate their own insights for</p> <p>12 their audiences and apply the framework accordingly."</p> <p>13 Do you see that?</p> <p>14 A Yes.</p> <p>15 Q Is it fair to say that this section of</p> <p>16 the GWF framework gives examples, but nevertheless,</p> <p>17 it is the choice of users whether to implement them?</p> <p>18 A I think it -- it provides some discretion</p> <p>19 on how to utilize it, so that the intent is to draw</p> <p>20 on certain tools to be able to communicate more about</p> <p>21 who we are.</p> <p>22 Q I'd like to direct your attention to the</p> <p>23 section marked number 2, the heading which reads,</p> <p>24 "What do we want to communicate to this audience?"</p> <p>25 Do you see that?</p>
<p style="text-align: right;">Page 39</p> <p>1 M. Freiberg</p> <p>2 Q The top heading reads -- well, let me</p> <p>3 take a step back.</p> <p>4 Do you recognize this document?</p> <p>5 A I have actually not seen this document</p> <p>6 before.</p> <p>7 Q Do you know what this document is?</p> <p>8 A In reading it, it describes how to</p> <p>9 utilize the Giving Word to Our Faith.</p> <p>10 Q The top heading reads, "Contextual</p> <p>11 guidance and examples."</p> <p>12 Do you see that?</p> <p>13 A I do.</p> <p>14 Q In January of 2021, were customer service</p> <p>15 representatives advised to utilize this document?</p> <p>16 MR. WARD: I'm going to object as to</p> <p>17 form.</p> <p>18 A I cannot confirm that.</p> <p>19 MR. WARD: Counsel, I'm -- I'm going to</p> <p>20 object as to form.</p> <p>21 While this document is part of a much</p> <p>22 larger document, but you're asking about it as</p> <p>23 though it's a standalone, and so I'm going to</p> <p>24 object to the best-evidence rule that you're</p> <p>25 not introducing a full document.</p>	<p style="text-align: right;">Page 41</p> <p>1 M. Freiberg</p> <p>2 A Yes.</p> <p>3 Q There are five bullets under that</p> <p>4 heading.</p> <p>5 Do you see that?</p> <p>6 A Yes.</p> <p>7 Q Isn't it true that none of them states</p> <p>8 "Teaching Christianity"?</p> <p>9 MR. WARD: Objection as to form.</p> <p>10 You may answer.</p> <p>11 A So, I'm sorry, just reading over some of</p> <p>12 these bullets.</p> <p>13 So there is not any bullet that -- that</p> <p>14 is in a section to -- that speaks specifically to --</p> <p>15 to teaching, but there are other pieces; right? If</p> <p>16 you take a look at the relative -- relevant messaging</p> <p>17 points, "We believe that God can work through all</p> <p>18 people and achieve his purposes." So there are --</p> <p>19 I -- I -- I'll just leave my answer at that because</p> <p>20 I'm -- I'm not sure if I'm answering what you're</p> <p>21 looking for or if maybe I need more clarification.</p> <p>22 Q Sure. I'll -- I'll try to make the</p> <p>23 answer a little more simplistic.</p> <p>24 Under this Section 2 which reads, "What</p> <p>25 do we want to communicate to this audience?"</p>

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<p style="text-align: right;">Page 42</p> <p>1 M. Freiberg</p> <p>2 There are five bullets; would you agree?</p> <p>3 A Yes.</p> <p>4 Q Does the word "teaching" appear after any</p> <p>5 one of those bullets?</p> <p>6 A The word "teaching" does not appear.</p> <p>7 Q Does the word "Christianity" appear after</p> <p>8 any one of those five bullets?</p> <p>9 A The word "Christianity" does not appear,</p> <p>10 but there are other words that appear that represent</p> <p>11 our faith, that speak about our calling, that speak</p> <p>12 about other people's faith, that speak to</p> <p>13 partnership, and that speak to human transformation,</p> <p>14 which is another core element of our mission.</p> <p>15 Q Do the two words "teaching Christianity,"</p> <p>16 with the word "Christianity" directly following the</p> <p>17 word "teaching," appear after any of the five bullets</p> <p>18 under this Section 2?</p> <p>19 A No, they do not.</p> <p>20 Q Thank you.</p> <p>21 I'd like to go back to Plaintiffs</p> <p>22 Exhibit Number 1. I had asked you to keep it handy</p> <p>23 before.</p> <p>24 Ms. Freiberg, please let me know when you</p> <p>25 have that in front of you.</p>	<p style="text-align: right;">Page 44</p> <p>1 M. Freiberg</p> <p>2 down during chapel, and every representative attends</p> <p>3 chapel. And there is regular prayer embedded</p> <p>4 throughout. The agent's work and work experience</p> <p>5 either through prayer with the donor or through</p> <p>6 prayer with their manager, with their team on team</p> <p>7 chats, just -- those are some examples of how the --</p> <p>8 the prayer is established, and those are ways in</p> <p>9 which we keep Christ central in our lives.</p> <p>10 Q In February of 2021, was it a requirement</p> <p>11 that participation, as per this document, required an</p> <p>12 obligation to lead devotions?</p> <p>13 MR. WARD: Objection as to form.</p> <p>14 You may answer.</p> <p>15 A The -- so the representatives are -- are</p> <p>16 equipped to be able to lead devotion. And in</p> <p>17 discussions with management at the DCS, she described</p> <p>18 how the leading of devotions is rotated throughout</p> <p>19 members of her team. So there is an expectation, but</p> <p>20 there is support to provide help to get there.</p> <p>21 Q So in the rotation, is it mandatory that</p> <p>22 at some point, every customer service representative</p> <p>23 is required to lead devotion as part of their job?</p> <p>24 A Yes. On that team that I described, that</p> <p>25 is the case.</p>
<p style="text-align: right;">Page 43</p> <p>1 M. Freiberg</p> <p>2 A I have the job posting in front of me.</p> <p>3 Q I'd like to direct your attention to</p> <p>4 number 1, which appears at the top of the second</p> <p>5 page, the one marked Plaintiff's Exhibit 1. It</p> <p>6 reads, "Keep Christ central in our individual and</p> <p>7 corporate lives. Attend and participate in the</p> <p>8 leadership of devotions, weekly chapel services, and</p> <p>9 regular prayer."</p> <p>10 Do you see that?</p> <p>11 A I do.</p> <p>12 Q Please explain to me the requirements of</p> <p>13 a customer service representative to attend and</p> <p>14 participate in the leadership of devotions, weekly</p> <p>15 chapel services, and regular prayer. And for</p> <p>16 clarity, Ms. Freiberg, this is limited to</p> <p>17 February 1st, 2021 and thereafter.</p> <p>18 A Okay. So every DSR or trainee is</p> <p>19 required to attend devotions and to ultimately lead</p> <p>20 devotions. So during the training, in the training</p> <p>21 class, there are devotions that are done, and also,</p> <p>22 the trainees attend a department-wide devotion, and</p> <p>23 ultimately, they become embedded into a team and will</p> <p>24 be leading devotions within that team.</p> <p>25 The entire donor contact center shuts</p>	<p style="text-align: right;">Page 45</p> <p>1 M. Freiberg</p> <p>2 Q Are there any -- I'm sorry.</p> <p>3 A I was just going to say that it's -- you</p> <p>4 know, it's encouraged and expected to lead the</p> <p>5 devotions.</p> <p>6 Q Are there any documentations -- is there</p> <p>7 any -- are there any documents that outline these</p> <p>8 requirements as it regards customer service</p> <p>9 representatives leading devotions?</p> <p>10 A Well, just what's in the job description.</p> <p>11 Q I'm sorry, but I don't see it stating</p> <p>12 specifically that it's a requirement to lead</p> <p>13 devotions. It just states "participate."</p> <p>14 And I guess my question now is that, are</p> <p>15 there any documents of which you're aware that</p> <p>16 outline the requirements to lead devotion for</p> <p>17 customer service representatives?</p> <p>18 MR. WARD: Objection as to form.</p> <p>19 You may answer.</p> <p>20 A I'm -- I'm just looking at the words, and</p> <p>21 it says, "Attend and participate in the leadership of</p> <p>22 devotions."</p> <p>23 Q And I'm asking you, are there any</p> <p>24 document beyond this Plaintiff's Exhibit 1 which</p> <p>25 outline the requirements for leading a devotion by a</p>

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<p style="text-align: right;">Page 46</p> <p>1 M. Freiberg</p> <p>2 customer service representative?</p> <p>3 MR. WARD: Objection as to form.</p> <p>4 You may answer.</p> <p>5 A Well, I recall seeing a document that was</p> <p>6 submitted that was around guidance for devotions. We</p> <p>7 could -- we could take a look at that document.</p> <p>8 Q Which document are you referring to?</p> <p>9 A It was referenced or titled something</p> <p>10 along the lines of guidance for devotions.</p> <p>11 Q Is it something you've seen today?</p> <p>12 A No.</p> <p>13 Q Okay. Now, one of the requirements of a</p> <p>14 customer service representative is to attend and</p> <p>15 participate in weekly chapel services; correct?</p> <p>16 A Yes.</p> <p>17 Q In February of 2021, was it a requirement</p> <p>18 that customer service representatives lead weekly</p> <p>19 chapel services?</p> <p>20 A No.</p> <p>21 Q To your knowledge, were there ever</p> <p>22 training materials disseminated to customer service</p> <p>23 representatives with respect to leading chapel</p> <p>24 services?</p> <p>25 A There is an opportunity for individuals</p>	<p style="text-align: right;">Page 48</p> <p>1 M. Freiberg</p> <p>2 donor to pray with him or her, then there's no</p> <p>3 requirement to lead prayer; is that fair to say?</p> <p>4 MR. WARD: Objection as to form.</p> <p>5 A Well, it isn't fair to say because the</p> <p>6 supervisor would be coaching that donor service</p> <p>7 representative or trainee to identify opportunities</p> <p>8 or provide coaching on when prayer could be offered.</p> <p>9 Q But if that customer service</p> <p>10 representative was just not comfortable in praying</p> <p>11 with a donor, that would not be the cause for</p> <p>12 termination; is that correct?</p> <p>13 MR. WARD: Objection as to form.</p> <p>14 You may answer.</p> <p>15 A I'm not saying that it's not a cause for</p> <p>16 termination. I'm just saying that that -- I had</p> <p>17 stated earlier that that's never happened, but what</p> <p>18 would happen is that a supervisor would be coaching</p> <p>19 the individual to get them comfortable, and at a</p> <p>20 minimum, to be requesting for prayer -- requesting</p> <p>21 for prayers, but they would be encouraging them to</p> <p>22 pray.</p> <p>23 Q As opposed to mandating, though; correct?</p> <p>24 A Yes.</p> <p>25 Q With respect to number 12, it states,</p>
<p style="text-align: right;">Page 47</p> <p>1 M. Freiberg</p> <p>2 to volunteer to lead chapel, and there is support to</p> <p>3 do that, but it's not in the form of a training</p> <p>4 program, it's in the form of equipping by other</p> <p>5 members of DCS.</p> <p>6 Q So is it correct to say that there are no</p> <p>7 training manuals that are -- written training manuals</p> <p>8 that are disseminated?</p> <p>9 MR. WARD: Objection as to form.</p> <p>10 You may answer.</p> <p>11 A Correct. The manner in which that</p> <p>12 information is transmitted is not from a manual, but</p> <p>13 rather from training.</p> <p>14 Q Going back to this language in number 1</p> <p>15 where it states, "Attend and participate in the</p> <p>16 leadership of devotions, weekly chapel services, and</p> <p>17 regular prayer," does this participate component</p> <p>18 contemplate a requirement for customer service</p> <p>19 representatives to lead regular prayer?</p> <p>20 A Well, they would do so by virtue of</p> <p>21 asking donors if they can pray for them, and in doing</p> <p>22 so, they would be leading prayer. And they also do</p> <p>23 so with one another and lead one another in prayer.</p> <p>24 Q But if a donor never asks a -- excuse me,</p> <p>25 but if a customer service representative never asks a</p>	<p style="text-align: right;">Page 49</p> <p>1 M. Freiberg</p> <p>2 "Perform other duties as assigned."</p> <p>3 If you could, please explain to me what</p> <p>4 those other duties as assigned entailed in February</p> <p>5 of 2021 for customer service representatives.</p> <p>6 A Well, not working in the donor contact</p> <p>7 center, I don't know specifically, but I would</p> <p>8 suggest that it could include things like maybe</p> <p>9 filling in; if somebody was sick, there was extra</p> <p>10 work that needed -- that needed to occur, maybe there</p> <p>11 was a campaign to do outbound calls, and so they</p> <p>12 might spend more time doing outbound calls to ask,</p> <p>13 you know, donors if they want prayer or if they have</p> <p>14 any specific needs or communicating about a program</p> <p>15 that we have. Those would be examples of just</p> <p>16 performing other duties.</p> <p>17 Q But you're just speculating right now;</p> <p>18 correct?</p> <p>19 A I --</p> <p>20 MR. WARD: Objection to form.</p> <p>21 You may answer.</p> <p>22 A Yeah. I'm -- I'm suggesting those might</p> <p>23 be ideas of what that could be, but I don't work in</p> <p>24 the donor contact services area, so there -- there</p> <p>25 might be other things.</p>



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1 M. Freiberg  
2  
3 CERTIFICATE  
4  
5 I, THERESA RATIGAN, a Shorthand Reporter and  
6 Notary Public of the State of New York, do hereby  
7 certify:  
8 That the witness whose examination is  
9 hereinbefore set forth, was duly sworn, and that such  
10 examination is a true record of the testimony given  
11 by such witness.  
12 I further certify that I am not related to any  
13 of the parties to this action by blood or marriage;  
14 and that I am in no way interested in the outcome of  
15 this matter.  
16 IN WITNESS WHEREOF, I have hereunto set my  
17 hand this 22nd day of March 2023.  
18  
19  
20 \_\_\_\_\_  
21 THERESA RATIGAN  
22  
23  
24  
25